

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

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DR. DOROTHY PUMO,
Plaintiffs

v.

ALBANY COLLEGE OF
PHARMACY AND HEALTH
SCIENCES,
Defendant

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Civil Action No.

2:15-cv-33

COMPLAINT

PARTIES

- 1) Plaintiff Dr. Pumo is a resident of South Burlington, Vermont.
- 2) Defendant Albany College of Pharmacy and Health Sciences ("ACPHS") is an academic institution with a campus at 261 Mountain View Drive, Colchester, Vermont, but with its principal place of business at 106 New Scotland Avenue Albany, New York.
- 3) ACPHS employs more than 20 individuals. Its website states that it has more than 150 full and part-time faculty and it lists 293 employees.

JURISDICTION

- 3) The Court has federal question jurisdiction under 28 U.S.C. §§ 1331. Supplemental jurisdiction over state law questions is provided by 28 U.S.C. §1367.

FACTS

- 4) Dr. Pumo is age 63, d/o/b 10/27/51.
- 5) She holds the position of Full Professor of Pharmaceutical Sciences at ACPHS in Colchester and has held the position for nearly six years now.

- 6) She has held the rank of Full Professor for 23 years. She retired as Professor Emeritus from Hofstra University in New York where she taught for 28 years.
- 7) At ACPHS she has had a record of favorable performance reviews.

COUNT I – EQUAL PAY VIOLATIONS

- 8) Paragraphs 1-7 are restated.
- 9) Dr. Pumo became aware of published salary compensation information which shows the compensation paid by ACPHS to be significantly above that paid to her not only for Full Professors, but of Associate Professors and even Assistant Professors.
- 10) Many of these are male.
- 11) ACPHS has therefore paid different wages to employees of the opposite sex, for jobs that are substantially equal in skill, effort, and responsibility, and are performed under the same working conditions.
- 12) It has violated and is violating the Equal Pay Act provisions of the Fair Labor Standards Act 29 U.S.C. § 206(a)(1), and of the equal pay provisions of the Vermont Fair Employment Practices Act, 21 V.S.A. § 495(a)(8).
- 13) Dr. Pumo seeks all appropriate legal and equitable relief, including backpay and liquidated damages plus reasonable attorneys' fees, and litigation costs, under 29 U.S.C. § 216(b) and /or 21 V.S.A. § 495b(b).

COUNT II – AGE DISCRIMINATION

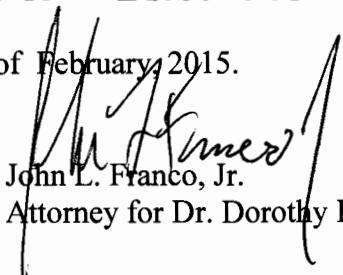
- 14) Paragraphs 1-13 are restated.
- 15) Many if not most of these others are significantly younger than Dr. Pumo.
- 16) This presents circumstances which give rise to an inference of age discrimination under the Age Discrimination in Employment Act 29 U.S.C. §621 et seq. and/or the age

discrimination provisions of the Vermont Fair Employment Practices Act 21 V.S.A. § 495(a)(1).

17) She seeks all appropriate relief, plus reasonable attorneys' fees and litigation costs, under 29 U.S.C. §§ 216(b), 626(b) and/or 21 V.S.A. § 495b(b).

A JURY TRIAL IS DEMANDED ON ALL ISSUES SO TRIABLE

Dated at Burlington, Vermont this 12th day of February 2015.



John L. Franco, Jr.
Attorney for Dr. Dorothy Pumo